



PAO Civil Division Performance Audit Survey

King County Auditor's Office

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Background

- Performance audit survey of PAO Civil Division
- Civil Division provides legal representation to county agencies
- Survey limited in scope; did not try to assess quality or effectiveness of legal work on individual cases or matters



Audit Objectives

- How do costs of service compare to workload; other jurisdictions?
- Is methodology for billing clients equitable?
- What are procedures for procuring and monitoring the work of outside counsel?
- Are customers satisfied?
- How does the Civil Division monitor performance?



General Conclusions

- Costs generally comparable to other jurisdictions, but expenditures for outside counsel seem high.
- Client billing model is equitable, but data could be improved.
- Majority of customers are very satisfied, but some concerns exist.
- Some improvements needed in practices for procuring outside counsel.
- Performance measurement system is of limited use in assessing or improving division performance.



Cost of Civil Division Services

- Cost of Civil Division services (\$8 million per year) comparable to other jurisdictions, but expenditures for outside counsel (additional \$4 million in 2005) appear high
- Hourly costs of Civil Division attorneys much less than outside counsel
 - In-house counsel: <\$100 per hour
 - Outside counsel: \$200 to >\$300 per hour
- Optimal mix of resources?
- Data not available to compare cost growth to workload growth



Recommendations

- Track expenditures for outside counsel
- Make greater efforts to compare workload to costs (resource needs).
- Explore whether using optimal mix of in-house versus outside counsel



Client Billing Methodology

- Methodology is equitable; charges based on time attorneys worked for clients
- Accuracy and completeness of time-keeping data could be improved
 - Attorneys not tracking all of their hours
 - Attorneys logging a large portion of hours to a general category
 - Civil Division is working to improve data



Client Billing Methodology

- Time data are used for billing purposes only and are not analyzed as a measure of workload or productivity
- Data are submitted on paper forms
- Recommendation: Continue efforts to improve time data, analyze data to assess workload and productivity, and consider an electronic time-keeping system



Contracting With Outside Counsel

- Division has an internal procedure for procuring outside counsel
- In some cases, selection process is not fully documented
- Variety of contracting practices
- Recommendation: Improve contracting policies and procedures



Customer Satisfaction

- Overall, customers are satisfied with services
- Some customers have concerns with expertise, consistency, and risk-aversion
- Most report services are improving
- Civil Division communicates with clients and addresses concerns
- Recommendation: Regularly survey clients and track feedback



Performance Measurement

- Civil Division's performance measurement system provides little useful performance information
 - No measures of lawsuit outcomes or costs, and no targets or benchmarks for improving performance.
 - Only measure of efficiency is whether division stayed within budget.
- Other jurisdictions have more effective measures; for example,
 - Percent of litigated claims resulting in no monetary payout
 - Dollar amount paid out on litigated claims
- Recommendation: Improve performance measurement system



PAO Response

- Concurs with recommendations
- Already implementing many recommendations



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*The Auditor's Office sincerely appreciates
the cooperation received from the Civil
Division management and staff.*